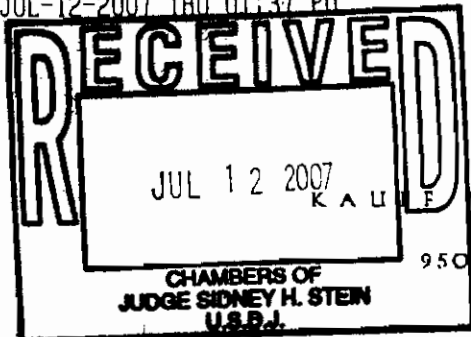


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July 12, 2007

VIA FACSIMILE (212) 805-7921

Honorable Sidney H. Stein
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 1010
New York, NY 10007

MEMO ENDORSED

Re: Highview Global Capital Management, LLC v. Philip Sun
Index No. 07 CV 4642
KM&M File No. 11112/0001

Dear Judge Stein:

This firm is counsel to plaintiff Highview Global Capital Management, LLC ("Highview") in the referenced action.

Ms. Blakely from Your Honor's chambers called yesterday to offer an adjournment of today's conference if the parties were close to settlement; she advised that any day next week was available. My adversary and I left a voice mail message for Ms. Blakely indicating that the parties had reached a final settlement just minutes ago, but require one additional week to read through and finalize the settlement document (which, at this juncture, is replete with red-line revisions). Accordingly, we respectfully requested that today's conference be adjourned until July 19. Because I was negotiating the final points of the settlement rather than traveling to the courthouse, and in light of Ms. Blakey's offer to adjourn the conference and my adversary's colleague's presence at the courthouse to confer with Your Honor if required, I am waiting at my desk for confirmation that the conference has been adjourned, or to speak with Your Honor if you require additional information. Of course, I will travel to the courthouse at Your Honor's request.

Respectfully submitted,

Lyle S. Zuckerman

*The conference is
adjourned to July 19, at
11:01 A.M.*

cc: Peter Carr (Via E-Mail)

SO ORDERED 7/12/07

SIDNEY H. STEIN
U.S.D.J.